

The Honorable

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INVENTIST, INC.,

Plaintiff,

No.

v.

COMPLAINT FOR PATENT
INFRINGEMENT

NINEBOT, INC. (USA) D/B/A NINEBOT
U.S., INC.; NINEBOT (TIANJIN)
TECHNOLOGY CO., LTD; NINEBOT, INC
(China);

Defendants.

Plaintiff Inventist, Inc. (“Inventist”), states the following facts in support of its Complaint against Defendants Ninebot U.S., Inc. (“NinebotUS”), Ninebot (Tianjin) Technology Co. Ltd. (“Ninebot”), Ninebot, Inc. (“Ninebot Inc.”), and Segway, Inc. (“Segway”) (collectively “Ninebot Defendants” or “Defendants”) for infringement of U.S. Patent No. 8,807,250 (“the ‘250 Patent”) entitled “Powered Single-Wheeled Self-Balancing Vehicle for Standing User.”

THE PARTIES

1. Inventist is a corporation organized and existing under the laws of Washington and having its principal place of business in Camas, Washington. Inventist manufactures and sells certain personal transporters under the “Solowheel” name.

2. On information and belief, NinebotUS is a corporation organized and existing under the laws of Delaware with its headquarters in Livingston, New Jersey.

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1 intent that they will be purchased by consumers in this District.

2 11. NinebotUS acts as the U.S. distributor for Ninebot branded products and directly
3 imports into and sells infringing items in this district. Ninebot Inc. advertises that it is the
4 corporate parent and/or manufacturer for NinebotUS products. Ninebot also states that it
5 manufactures personal transporters under the “Ninebot” brand name including the accused
6 Ninebot One.

7 12. Additionally, Ninebot acquiesced to jurisdiction and venue in this District in
8 another patent case involving Inventist by agreeing to transfer a currently stayed Delaware case
9 to this District in the event the stay is lifted.

10 13. On information and belief, Ninebot and/or Ninebot Inc. own and operate the
11 NinebotUS website, from which “Ninebot” products are offered for sale and sold in the United
12 States (among various other sales channels).

13 **BACKGROUND FACTS**

14 14. Shane Chen conceived of and invented the ‘250 Patent in Camas, Washington.

15 15. Mr. Chen is an inventor whose efforts focus on inventing new sports-related
16 products, including the Solowheel, Hovertrax, and AquaSkipper.

17 16. After full and fair examination, the ‘250 Patent issued on August 19, 2014.

18 17. The ‘250 Patent is assigned to Inventist, Inc., a small company owned and
19 operated by Mr. Chen and his family.

20 18. The ‘250 Patent is commercially embodied in Inventist’s Solowheel product, a
21 version of which is seen below:



1 19. Upon its introduction in 2014, the Solowheel garnered much attention and praise
2 for its innovative design and functionality as a new fun and compact personal transportation
3 device.

4 20. Inventist, Mr. Chen, and the Solowheel were also featured in many news outlets
5 regarding the innovative approach to personal transportation that Mr. Chen invented.

6 21. On information and belief, NinebotUS and Ninebot Inc. were previously sued for
7 making and selling products that allegedly infringed Segway's patents and copyrights and falsely
8 claiming that they were a licensee of Segway. On information and belief, during that lawsuit the
9 Ninebot Defendants received an influx of capital and resolved the case by simply purchasing
10 Segway.

11 22. "Ninebot" branded products including the "Ninebot One" pictured below:



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17 23. Ninebot and Inventist are also well known to each other. Inventist and its products
18 are subject to multiple other suits by Ninebot in the United States.

19 24. Additionally, Ninebot and Mr. Chen have been involved in patent litigation in
20 China, including similar technology to that asserted here. This includes Mr. Chen prevailing in
21 Chinese court against Ninebot's infringement in China.

22 **COUNT I: INFRINGEMENT OF THE '250 PATENT**

23 25. Inventist re-alleges, as if fully set forth herein, the facts contained in Paragraphs
24 1-24.

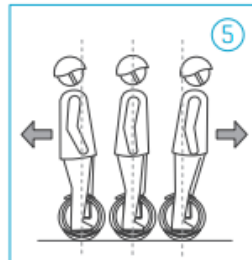
25 26. On information and belief, Defendants have been, and are now directly, infringing
26 the '250 Patent by making, using, selling, and/or offering for sale in the United States and/or

importing into the United States the Ninebot One line of personal transporters.

27. The Ninebot One infringes at least Claim 1 of the '250 Patent.

28. The Ninebot One is a single wheeled electric device, making it a powered unicycle.

29. The Ninebot One has a single wheel that rotates around a vertical axis to travel forward and backward from that axis and does not have a seat.



Practice travelling forward and backward by controlling your body's center of gravity. The further you lean, the faster you go.

30. The Ninebot One also includes a motor which powers the movement of the device and can be replaced by replacement motors sold by the Ninebot Defendants.

31. The Ninebot One also includes fore aft balance control which controls the motor by causing the Ninebot One to increase or decrease speed based on the direction the user leans.

32. The Ninebot One also includes two foot platforms on either side of the device on which the user stands. These foot platforms are located toward the bottom of the device and are thus below the axis of rotation of the wheel.

33. The Ninebot One includes surfaces toward the top of the device that are contacted by the side of the user's leg below the knee of the user when the user stands on the foot platforms using the device, but do not encircle the user's legs. Instead they simply form points of contact between the user's legs and the body of the Ninebot One.

34. These leg contact surfaces do not extend as far in direction – from the center plane – as the perpendicular foot platforms found below the leg contact surfaces.

35. Based on the foregoing, the Ninebot One infringes at least Claim 1 of the '250

Patent.

PRAYER FOR RELIEF

WHEREFORE, Inventist respectfully requests this Court to:

A. Enter judgment that the '250 Patent was duly and legally issued, is valid, enforceable, and has been infringed by Defendants;

B.. Issue a permanent injunction restraining Defendants, their directors, officers, agents, employees, successors, subsidiaries, assigns, affiliates, and all persons acting in privity, concert, or participation with any of the above from the continued infringement of the '250 Patent;

D. Award Inventist damages, in an amount to be determined at trial, together with interest and costs as fixed by this Court;

E. Declare this case exceptional and grant Inventist its reasonable attorneys' fees under 35 U.S.C. § 285;

F. Grant Inventist such other and further relief as this Court deems just and proper.

JURY DEMAND

Under Rule 38 of the Federal Rules of Civil Procedure, Inventist requests a trial by jury of any issues so triable by right.

DATED this 4th day of August, 2016.

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s/Joel B. Ard

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